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The MAINE VOTER

Published by The League of Women Voters of Maine

MRS RICHARD WAGNER
26 MOUNTAIN AVE.
LEWISTON, ME 04240

VOLUME XXII

OCTOBER-NOVEMBER 1974

No. 2

LEGISLATION REFORM: OR HOW WE GOT FROM THERE TO HERE

It must seem to League members that legislative reform has been around forever; well, it sure has been around for a long time, since 1947, in fact. That was when the League of Women Voters of Maine put Constitutional Revision on its state program. In the late forties or early fifties, the LWV arrived at support positions for a Constitutional Convention, four year term for governor, annual sessions for the legislature, consolidated election dates, run-off primaries, and automatic reapportionment.

By 1964, only two of those objectives, 4-year term for governor and run-off primaries, had been realized. League interest also centered around other specific areas: the Executive Council, Senate, reapportionment and unicameralism.

Background on Annual Sessions of the Legislature

(updated each time the State Government item has been broadened)

The Maine Legislature has been called into special session in every off-year during the last fourteen years. Some years there have been two or three special sessions. Matters dealt with have not always been of an emergency or budgetary nature.

State Government is important and costly enough to warrant yearly attention. Annual sessions would improve the budgeting procedure and provide an ongoing check on expenditures. They would also put the state in a much more flexible position to coordinate state and federal programs and to take better advantage of federal funding. League members felt strongly that limiting the content of the sessions would seriously hamper the flexibility so needed in State Government.

In 1964, at State Convention, delegates decided upon new wording to better express the study item: "A Study of Measures to Improve the Maine Constitution". This time the study was much enlarged in scope and members were able to come to clear agreement in several areas. In November of 1966, the State Board announced 4 new positions:

I. The two houses of the state legislature should vary in size, term of office, and type of district; i.e.: the House should be three times the size of the Senate; terms for House members should be for two years while those for the Senate should be four years; with single member districts in the Senate, multi-member districts should be permitted in the House.

Because, under the Supreme Court mandate that both houses of state legislatures be apportioned on the population factor alone, the two houses run the risk of becoming carbon copies of each other with equal terms, salaries, duties, and status. League members felt that staggered terms, one-half of the

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The League of Women Are So Well Informed!

GUBERNATORIAL CANDIDATES

James B. Longley, Independent Candidate, 50 years old, graduate of Lewiston H.S., 1941; B.A., Bowdoin College, 1947; LL.B., University of Maine Law School, 1957; General Agent of New England Mutual Life Insurance Co; Partner in law firm of Longley & Buckley; Director, Casco Bank & Trust Co.; Director, Child and Family Services of Maine; Former Chairman, Maine Management & Cost Survey Study of State Government.

George Mitchell, Democratic Candidate, 41 years old, graduate of Waterville H.S.; B.A. Bowdoin College; LL.B. Georgetown University Law School; Trial Attorney in U.S. Dept. of Justice during Kennedy Administration; Executive Assistant to Muskie; Partner in Portland law firm; Chairman of Maine Democratic Party, 1966; Chairman of Maine Reform Commission, 1969-72; Elected Democratic National Committeeman for Maine, 1968 and 1972; Nominated for Chairman of the National Democratic Party, 1972.

Stanley J. Leen, Independent Candidate, 58 years old, native of Bangor, attended Bangor schools; proprietor of several businesses in the field of electric motors and electrical engineering; first president of Bangor and Maine Jaycees; Bangor City Councilman, 1946-48; President, Bangor-Brewer Lions, 1950-1951; President, Maine State Chamber of Commerce, 1960-1961; President, Maine Publicity Bureau, 1967-68; Director, Merrill Trust Co.

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Gubernatorial Candidates. . . (cont. from page 1)

James B. Erwin, Republican Candidate, 54 years old, B.A. Dartmouth College, 1942; LL.B. Columbia University Law School, 1949; Law Practice in York, 1949-1974; active in local, county, and state Republican Committee activities; elected to State Senate, 1960-1962 and State Representative 1964-1966; Attorney General, 1967-1969, 1969-1971; Trustee, Berwick Academy.

William B. Hughes, Independent Candidate, 46 years old; Registrar of Probate, Cumberland County; for 24 years associated with H.T. Hughes & Son, Christmas trees and lumber brokers; member of Portland Republican City Committee; President of Republican Men's Club of Cumberland County; active in other civic affairs.

CONGRESSIONAL CANDIDATES**First District:**

Peter N. Kyros, Democratic Candidate, 49 years old, graduated Portland public school; B.S., U.S. Naval Academy, 1947; LL.B., Harvard Law School, 1957; Practiced law in Maine, 1957-1966; Elected to Congress, 1966, 1968, 1970, 1972; Member of House Interstate and Foreign Commerce Committee; Public Health Subcommittee; Merchant Marine and Fisheries Committee.

David Emery, Republican Candidate, 26 years old, graduated Rockland H.S., 1966 B.S., Worcester Polytechnic Institute, 1970; Elected to Maine House of Representatives, 1970 and 1972; delegate to Republican National Convention, 1972; member, Natural Resources Council.

Second District:

William S. Cohen, Republican Candidate, 34 years old; graduated Bangor H.S. 1958; B.A., Bowdoin College, 1962; LL.B., Boston University Law School, 1965; was a partner in Bangor law firm, 1968; Assistant County Attorney for Penobscot County; 1969-1972 Bangor city council member; 1971-1972, Mayor of Bangor; elected to Congress, 1972; serves on House Judiciary and Merchant Marine and Fisheries Committee and the House Republican Task Force on Housing.

Mark Gartley, Democratic Candidate, 29 years old; graduated Greenville H.S.; B.S. Georgia Institute of Technology, F-4 Pilot in U.S. Navy; 4 years POW, North Vietnam; currently on leave from Eastern Airlines.

Your State Board welcomes.

Catherine Sheridan of 197 Pine St., Portland as Chairman for Representative Government.

Catherine is a New York City native who vacationed in Maine for 30 years before becoming a resident. She is a graduate of Hunter College and Columbia University, majoring in political science. She has done graduate work at New York University, the University of Montana, and the University of Vermont. As a member of the New York City School System she worked in teaching and administrative areas. While a member of the New York City League of Women Voters she served on several committees, including Representative Government.

**REFERENDUM QUESTIONS
AND
PROPOSED CONSTITUTIONAL
AMENDMENTS**

Referendum Question

An Act to Change Weights and Related Provisions for Commercial Vehicles.

The intent of this act increases the authorized gross weight of any commercial vehicle or combination of vehicles (truck tractor and full trailer, or truck tractor and semitrailer) from a maximum of 73,280 pounds to a maximum of 100,000 pounds. The length of the vehicles will increase from 45 feet to 56 1/2 feet. Vehicles carrying forest products or raw ore from mine or quarry to place of processing may exceed 100,000 lbs. by 15 per cent by paying \$25 extra tax per month during December, January, and February. There are various provisions for increasing the gross weight allowed to vehicles with various numbers of axles. The Act also provides for various fines for overweight vehicles. Vehicles with a gross weight in excess of 73,280 will not be allowed to operate on the Interstate Highway System. The Act also provides for the Joint Standing Committee on Transportation to study motor truck transportation in the State and report its findings to the 107th Legislature.

BOND ISSUES**1. \$7,800,000 to Build State Highways.**

This law authorizes the Treasurer of the State, under the direction of the Governor and Council, to issue coupon bonds not exceeding \$7,800,000, payable at the State Treasury within 20 years from the date issued. The proceeds of these bonds will be used for construction or reconstruction of roads and bridges.

2. An Act to Authorize Bond Issues in the Amount of \$25,000,000 to Provide Funds for School Building Construction.

This law authorizes the Treasurer of the State, under the direction of the Governor and Council to issue coupon bonds not exceeding \$25,000,000 payable at the State Treasury within 20 years from the date issued. The proceeds of these bonds are to be used only for school building construction.

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TRADE BILL ALERT——be ready for a CALL TO ACTION**THE MAINE VOTER**

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Referendum Questions and Proposed Constitutional Amendments. . . (cont. from page 2)

CONSTITUTIONAL AMENDMENTS

1. **RESOLUTION**, Proposing an Amendment to the Constitution to Eliminate the Three-month Voting Residence Requirement Following a Change of Residence Within the State.

This new amendment will allow a voter who changes residence from one municipality to another within the State to register to vote immediately in the new community. There will no longer be a three-month waiting period.

2. **RESOLUTION**, Proposing an Amendment to the Constitution to Provide for Appointment of Justices of the Peace and Notaries Public to an Initial Term by the Governor with the Approval of the Executive Council and for Additional Terms of These Officers to be by Renewal of Commission, as Provided by Law.

This Amendment allows the Governor and Executive Council to provide for the initial appointment of Justices of the Peace and Notaries Public, and subsequent terms of office are handled by requesting a renewal of the Commission.

3. **RESOLUTION**, Proposing an Amendment to the Constitution to Clarify Validity of Municipal Industrial Parks.

The Constitution presently provides that the registered voters in a community may, by majority vote, authorize the issuance of notes and bonds in the name of the municipality for the purpose of constructing buildings for industrial use. These buildings are either leased or sold by the municipality to industrial firms or corporations. This amendment adds that the notes or bonds may be used for the purpose of purchasing land and interests for industrial use.

BASIC TAX PUBLICATION

The state Tax Task Force, as requested by State Council, is organizing to develop a basic tax publication.

The core committee is Janet Krofta and Emily Farley of State Board, Suzanne Svendsen of Bangor, and JoAnne Babcock of Falmouth.

Member ideas are welcome anytime.

LOCAL LEAGUE WORKSHOP

Land Use and Your Community will be the focus of a workshop for local League Boards at the Oblate House in Augusta on 23 November.

Land use planning has been designated by the State Board as the state League priority for 1974-75. That poses a challenge and an opportunity to Leagues in Maine to use all the skills and talents they have to take and exciting and complicated issue of immediate importance to the community.

The workshop will offer Board members from all Maine's Leagues an opportunity to explore the potential in their Leagues and to promote a plan of action designed to benefit both League members and the larger community.

Board members will also have a chance to maximize their effectiveness as a decision-making group for all League efforts.



At National Convention

FUND-RAISING

The Brunswick LMV has a fund-raising Needlepoint Kit for only 10.00. The kit includes a 12" sq. hand-screened canvas, green and white Persian yarn and needle. The design represents Maine pines and was created by one of our members. This complete kit is available at Yankee Yarns, 47 Pleasant St., Brunswick, or through Mrs. Judy Leaman, 155 Park Row, Brunswick, Ph. 725-7759.

ERA

33 down — 5 to go

And 1975 is the year for women to reach TOTAL citizenship.

We did it in Maine — now we must extend a hand to our sisters still working in unratified states.

Buy an ERA bracelet!

The cost is minimal; the results will be momentous. Send \$3.00 to:

League of Women Voters of the U.S.
11313 Federick Ave.
Beltsville, Maryland 20705

TODAY

If you have one, buy another for a friend or relative.

Remember: None of us succeeds until we **all** succeed.

UNITED NATIONS DAY

Remember United Nations Day is October 24th. Let each of us catch up on UN current activities, or, better yet, plan a program for each local league.

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Legislation Reform. . . (cont. from page 1)

Senators elected every four years, would assure continuity and stability in the Senate. Four-year terms would encourage a long-range approach to State Government problems. Money, time and effort would be saved by reducing campaigning. The ballot would be shortened, and voter interest would be aroused in an office of longer term. Thirty-three states have a system of two years for the House and four years for the Senate; of these, twenty-eight (28) have staggered terms in the Senate.

II. In coming to agreement on reduction of the size of the House, League members used these criteria for adequate size: large enough to be representative, small enough to deliberate effectively, small enough to afford competent staff for legislators, and small enough to afford adequate pay for legislators. The ratio of 3-1 is a figure often recommended by governmental experts, political scientists, and many citizen groups as one that would result in good representation and a better working relationship between the two Houses.

Reduction of the size of the House also makes sense from an economic point of view; it would cost less to maintain a smaller House, and the money saved could be redirected towards better services and more pay for legislators. Leaguers rejected the argument that reduction would increase the size of districts so as to become unmanageable; distance is relative and western states function with much larger districts. Further more, Maine Senators are already adequately serving larger districts than those which would result from redistricting and reducing House size. Today's instant communications and improved travel serve to make large districts manageable.

Leaguers also believed that there was room in Maine for both single and multi-member districts. Several arguments offered on both sides were considered, and when the results of the consensus questions were tabulated, there was no clear agreement for one or the other but there were good points on both sides.

With regard to single member districts (a citizen votes for only one representative from his district); the following arguments were presented: **Pro:** a short ballot allows candidates to be better known by constituents; high visibility permits the voter to follow the performance of one legislator; the relationship is more direct between constituent and legislator; on a statewide basis the minority has a chance of gaining some seats. **Con:** single member districts are more susceptible to gerrymandering; they are harder to adjust to population changes; the average city voter finds it difficult to know district boundaries; it is more difficult to attract qualified candidates from a small area.

With regard to Multi-member districts (a citizen votes for several legislators allocated to his district): **Pro:** there is broader representation of interests; districts are less subject to gerrymandering; larger districts command the interest of qualified candidates; narrow interests and sectionalism are avoided, it is easier to adjust to population changes; it is considered reasonable for heavily populated areas. **Con:** the ballot is longer, it enables the majority party to elect a whole slate; there is lower visibility with more legislators.

III. The Abolition of the Executive Council

League members agreed that the Council is an archaic institution which really serves no function which could not be performed by other agencies. Gubernatorial appointments of judges and major department heads should be confirmed by the Senate in an open and bipartisan manner.

The main objection to the Council is that it is a build-in check, **within** the Executive branch, on the Governor's powers.

The "plural executive" is a weakening factor on the Executive branch, which in turn destroys the legitimate and necessary tension on the balance of the three branches of government.

The Executive Council is not representative or responsible to the electorate in the same way that the legislature is; that is, it is not directly elected by the people, but by the majority party of the legislative branch. In addition, if it is felt that interim surveillance of the Executive branch is needed, that function should be performed by annual sessions of the legislature.

IV. Further study of Unicameralism

V. Federal census population figures should be used for determining the apportionment of both houses.

Because there was so much interest in unicameralism, Leaguers entered into an indepth study of that item in 1967, and a new position was announced in 1968, to wit,

"The League of Women Voters supports the concept of unicameralism, but until attainment of that goal seems feasible, the League will work for reform of the present bicameral system."

What is unicameralism? It is, simply, a single legislative house. Some of the reasons for League support are: (1) It is a progressive form of government. (England, with all legislative power concentrated in one house is virtually unicameral as are many other legislative branches of Western Europe and South America as well as the provincial legislatures of Canada, excepting Quebec. All municipalities, except one, in the United States are unicameral and many of these are far larger than the whole state of Maine.) (2) A check on the Legislature is provided via the executive veto, judicial review, and by the people through initiative and referendum. (3) the smaller size increases the visibility of each legislator and his activities. (Higher visibility improves performance by sharpening the legislator's sense of responsibility, thus making him more accountable.) (4) Unicameralism abolishes the conference committee which traditionally lobbyists have been able to control by influencing the two or three members representing one house, causing lack of agreement and failure of the bill, (for more indepth study, see November 1966 Maine Voter).

In 1969, Delegates to the State Convention reworded the State Government program item and so enlarged the scope. The wording has remained the same each succeeding convention: i.e., "Evaluation of structure and functions of State Government with continued study and support of measures to improve the Maine Constitution."

Between 1967 and 1974, two more League goals have been realized; reapportionment of both the Senate and the House, although, both plans resulted in a political stalemate, which had to be resolved by the State Supreme Court. The reapportionment commissions appointed by the legislature to formulate an acceptable plan, upon which each body was supposed to act, had several leaguers as members. Eventually of course, neither House was able to reapportion itself, and the Supreme Court had to act.

Several League positions go unrealized, and there is no doubt that all of them will come before the 107th legislature. Many local Leagues are planning units to update new members on our State Government items. Perhaps this year will see the realization of the League's goals in Legislative Reform.

The League of Women Voters of Maine supports:

- Annual sessions of the legislature
- Reduction of the size of the House to 99 (3-1 ratio of House to Senate)
- Four year staggered terms for Senators
- Abolition of the Executive Council
- A unicameral legislature when feasible